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August 14, 2020

VIA ECF

Hon. Paul A. Engelmayer  
United States District Court Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: United States v. Christopher Simon, 18 Cr. 390 (PAE) – 2-week extension of time to file submission

Dear Judge Engelmayer:

I write to request a 2-week extension of time to file a submission in this matter. This is the fifth request for an extension of time. As the Court is aware, the medical unit at FCI Fort Dix submitted a request for Reduction in Sentence (RIS) on Christopher Simon's behalf, to the warden of the facility. However, the decision in connection with an RIS has not been made because Mr. Simon had no appropriate release plan.

After submitting a detailed release plan to the Bureau of Prisons (BOP) in a letter dated July 31, 2020, I was informed by the BOP, that the release plan was insufficient. In a letter dated August 14, 2020, I provided an alternate release plan, for consideration by the RIS Coordinator and Senior Counsel Advisor at FCI Fort Dix.

Accordingly, I request a 2-week extension of time to file a submission in this matter, pending a decision by the Warden of FCI Fort Dix regarding the request for Reduction in Sentence.

Respectfully Submitted,



Karloff C. Commissiong, Esq.

The fifth motion for an extension of time is denied for the following reasons. On initial review, Mr. Simon's motion for compassionate release appears substantial and worthy of prompt resolution. The Court therefore directs defense counsel to file a supplemental brief in support of the motion, and discussing Mr. Simon's release plan, by Thursday, August 20, 2020. The Government is directed to respond by Monday, August 24, 2020. Both parties should address whether, and if so, how, Mr. Simon's application is meaningfully distinct from those brought by Edward Davies and Louis Brown, both of which the Court found meritorious. SO ORDERED.

  
PAUL A. ENGELMAYER  
United States District Judge

8/17/2020